

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONIQUE SYKES, RUBY COLON, REA
VEERABADREN, FATIMA GRAHAM,
KELVIN PEREZ, SAUDY RIVERA, PAULA
ROBINSON, and ENID ROMAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

- against -

MEL S. HARRIS AND ASSOCIATES LLC;
MEL S. HARRIS; MICHAEL YOUNG;
DAVID WALDMAN; KERRY LUTZ; TODD
FABACHER; MEL HARRIS JOHN/JANE
DOES 1-20; LEUCADIA NATIONAL
CORPORATION; L-CREDIT, LLC; LR
CREDIT, LLC; LR CREDIT 10, LLC; LR
CREDIT 12, LLC; LR CREDIT 14, LLC; LR
CREDIT 18, LLC; LR CREDIT 19, LLC;
JOSEPH A. ORLANDO; PHILIP M.
CANNELLA; LR CREDIT JOHN/JANE
DOES 1-20; SAMSERV, INC.; WILLIAM
MLOTOK; BENJAMIN LAMB; MICHAEL
MOSQUERA; JOHN ANDINO; HUSAM AL-
ATRASH; ASSMAT ABDELRAHMAN; and
SAMSERV JOHN/JANE DOES 1-20,

Defendants.

ECF Case
No. 09 Civ. 8486(DC)

**DECLARATION OF
HERMAN DE JESUS**

HERMAN DE JESUS declares under the penalty of perjury, pursuant to 28
U.S.C. § 1746, that the following is true and correct:

1. I am a Senior Program Associate with the Neighborhood Economic
Development Advocacy Project, counsel for Plaintiffs in this action.
2. In September and November 2009, I conducted research to determine: (1)
the number of lawsuits filed by LR Credit entities from 2006 through November 2009 in

the New York City Civil Court; and (2) the frequency with which LR Credit entities were represented in these actions by Defendant Mel S. Harris and Associates, LLC (“Mel Harris LLC”).

3. To conduct this research, I searched the NYS Unified Court System’s E-Courts case information system (“E-Courts”), available at <http://iapps.courts.state.ny.us/webcivilLocal/LCMain>, for cases in which a party named “LR Credit” was the plaintiff. Use of this search term generated results for all LR Credit entities that had filed lawsuits, including LR Credit 10, LLC; LR Credit 12, LLC; LR Credit 14, LLC; LR Credit 18, LLC; and LR Credit 19, LLC, among others. Because the LR Credit entities had filed so many lawsuits, I performed a separate search for each of the five counties in New York City per year from 2006 through November 2009. I manually reviewed each set of search results and noted each instance in which a firm other than Defendant Mel Harris LLC represented the LR Credit plaintiff. I added the results of each search in order to obtain: (1) the cumulative total of cases filed by LR Credit entities in New York City Civil Court from 2006 through November 2009; and (2) the cumulative total of cases filed by LR Credit entities in New York City Civil Court from 2006 through November 2009 in which Defendant Mel Harris LLC represented the plaintiff.

4. My research revealed that LR Credit entities filed 124,838 cases in the New York City Civil Court from 2006 through November 2009 and that Defendant Mel Harris LLC represented the plaintiff in 99.63% of the cases.

5. In conducting this research, I could not determine the exact number of default judgments entered in these cases. However, I did observe that the vast majority

of cases were marked as “disposed” with no appearance by the defendant, indicating a high likelihood that a default judgment was entered.

6. I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 15, 2011
New York, NY


HERMAN DE JESUS